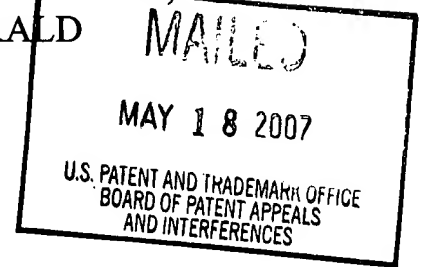


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte : DEAN SEIFERT, EARNEY STOUTENBURG,
DAVID OWEN and MAURA FITZGERALD

Application No. 09/975,171



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on March 11, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

INFORMATION DISCLOSURE STATEMENT

An Information Disclosure Statement (IDS) was filed on March 26, 2004. A review of the Image File Wrapper reveals that the examiner has not considered the IDS. According to MPEP § 609 which states:


“ The Examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form.”

Accordingly, it is

ORDERED that the application is returned:

- 1) for consideration of the IDS and written notification to the applicant of such consideration; and
- 2) for further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
PATRICK J. NOLAN
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PJN/jgr

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